

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.8**

I hereby certify that this RESPONSE is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450 on 09-28 2005.

Signed: Debra L. HalePrinted Name: Debra L. Hale**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 10/643,463
Applicant : Robert W. Brueggemeier *et al.*
Filed : August 4, 2003
TC/A.U. : 1625
Examiner : Celia C. Chang

Confirmation No. 6736

Docket No. : 22727/04124
Customer No. : 24024

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

DECLARATION under Rule 1.132

Dear Sir:

I, Dr. Robert W. Brueggemeier, an inventor of the above-identified application state as follows:

1. Young-Woo Kim and I are inventors of the compounds, the methods for preparing those compounds, and the methods of using those compounds for the treatment and/or prevention of cancer in a subject disclosed and claimed in the above-mentioned application, and described in the article by Kim *et al.*, entitled "Synthesis and Estrogen Receptor Binding Affinities of 7-Hydroxy-3-(4-hydroxyphenyl)-4H-1-benzopyran-ones Containing a Basic Side Chain, published in *Bioorganic & Medicinal Chemistry Letters* 13 (2003) 1475-1478.

2. The other individual listed as an author on the Kim *et al.* article, James A. Mobley, is not an inventor of the compounds, the methods for preparing those compounds, or the methods of using those compounds for the treatment and/or prevention of cancer in a subject.

3. James A. Mobley was listed as an author on the Kim *et al.* article because, as a research assistant in my lab, he was involved in testing the biological activities of the compounds in the article.

4. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

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Amdt. dated
Reply to Office Action of April 28, 2005

Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

September 6, 2005
Date

Robert W. Brueggemeier
Dr. Robert W. Brueggemeier